

REMARKS

The above-identified application is United States application serial number 09/415,295 filed on October 8, 1999. Claims 1, 2, 4, 5, 8-18, 21, 23-30, 32-41, 43, 44, 86-89, and 94-98 are pending in the application. Claims 1, 2, 4, 5, 8-18, 21, 23, and 86-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings Jr. (hereafter Hitchings), U.S. Patent No. 6,594,484 in view of Logan *et al.* (hereafter Logan), US Pat. No. 5,732,216. Claims 24-41, 43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings and Logan and further in view of Garceran *et al.* (hereafter Garceran), U.S. Pat. No. 6,552,888. Claims 94-96 and 98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchings in view of Logan as item 4 in the Office Action and further in view of Garceran.

Claim Rejections - 35 USC § 103

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP § 2143. Failure to meet just one of the three prongs for the test of obviousness is sufficient to defeat rejection of the claims under 35 USC § 103.

In the present case, there is no motivation or suggestion to combine Hitchings with Logan, nor do Hitchings and Logan, alone or in combination, disclose all the features of the claims. Further, the combination of Hitchings and Logan has no reasonable expectation of success. Independent Claim 1 recites:

“A mobile information network browser device with audio feedback capability, the information network comprising a plurality of network servers, the browser device comprising:
a wireless communication interface operable to transmit data to a network server, and to receive data from the network server;
an audio interface operable to receive data from the wireless communication interface; wherein the data transmitted to the network server includes a request for information, and the data received from the network server includes information responsive to the request;

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an audio converter, the audio converter being operable to receive the information responsive to the request, the audio converter being further operable to convert the responsive information to an audio signal;
a car radio; and
a short-range radio co-located with the car-radio, wherein the audio converter outputs the audio signal to the short-range radio, the short-range radio being operable to broadcast the audio signal to a channel on the car radio while the car radio is mobile as well as when the car radio is stationary."

In paragraph 4 of the Office Action, Hitchings is cited as disclosing a mobile information network browser device, a wireless communication interface, and an audio interface. Logan is cited as disclosing a short range radio that broadcasts the audio signal to a channel on a car audio using a "player" computer may be linked to the Internet via a local communications server computer via a radio or infrared link when the car is parked at the subscriber's home or office. (Logan Fig. 1, col. 6 line 27 to col. 7 line 2 and col. 39 lines 6-to col. 40 line 30). However, there is no motivation to make this combination for at least two reasons. First, Hitchings teaches away from using any device other than a cellular telephone to implement a wireless client device in order to maintain the size, weight, power requirements, usability, and mobility of the device, as well as to switch from one wireless network to another at any time without incurring additional cost to the carrier and providing the results of the service requests in a few seconds. (Hitchings Col. 5 lines 4-15, and Col. 12 lines 50-67.) Hitchings further states in Col. 5 lines 9-11 and Col. 12 lines 53-55 that a client device/cellular telephone is not a combination of a wireless communication module and a portable computer, as taught by Logan. (Logan Col. 6 lines 55-58).

A second reason why there is no motivation to combine Hitchings with Logan is that Hitchings discloses a method and system for navigating a plurality of voice menu information systems using a display and input interface of a wireless client device. (Hitchings Col. 5 lines 34-37). The user selects a menu item, which causes a corresponding script to be executed to interact with the voice menu system. Following processing of the script, the user can receive the response via the on-line client device, or the response can be sent to a voice mailbox for later retrieval. (Hitchings, Abstract, and Col. 15 line 44 through Col. 16 line 4). Notably, the user of the Hitchings device can listen to the response directly from the client device. *Id.* Accordingly, there is no suggestion or motivation in Hitchings to provide alternative or additional means, such as a short-range radio being operable to broadcast the audio signal to a

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channel on the car radio as set forth in Claim 1, to listen to the response in lieu of Hitchings' goals of maintaining the size, weight, power requirements, usability, and mobility of the wireless client device. (Hitchings Col. 12 lines 50-67.)

The Examiner further states that the IRDA International standard provides interoperability among widely diverse systems in a car or on public transportation. (Office Action, p. 4). While Logan may state this capability of IRDA in Col. 6 lines 52-58 of the description, the IR signals cannot propagate through opaque barriers, leaving the signal confined to the room from which it originated. (See Appendix A: Pavlosoglou *et al.*, "A Security Application of the Warwick Optical Antenna in Wireless Local and Personal Area Networks," School of Engineering, University of Warwick.) Accordingly, there is no reasonable expectation of success in utilizing Logan's IRDA connection to send signals to a device outside of the room in which the IRDA signals are generated.

Thus, one skilled in the art would not be motivated to combine Hitchings with Logan for at least these reasons. Claim 1 is thus allowable over Hitchings and Logan, alone and in combination for at least the foregoing reasons. Independent claims 24, 86, and 94 include features similar to those in Claim 1 that are distinguishable from the prior art. Claims 2, 4-5, 8-18, 21, and 23 depend from Claim 1, Claims 25-30, 32-42, and 43-44 depend from Claim 24, Claims 87-89 depend from Claim 86, and Claims 95-98 depend from Claim 94, and include features that further distinguish them from the prior art. Allowance of Claims 2, 4, 5, 8-18, 21, 23, 24-30, 32-42, 43, 44, 86-89, and 94-98 is respectfully requested for at least the same reasons as Claim 1.

In particular, Claim 23 sets forth "a position-keeping system for providing the geographic location of the browser device to the network server via the wireless communication network, wherein the responsive information is based on the geographic location of the browser device." On page 7 of the Office Action, the Examiner cites Col. 9 lines 16-67 and Col. 14 line 21 to Col. 15 line 58 of the Hitchings reference as disclosing these features. Applicant has reviewed the cited portions of the Hitchings reference and respectfully asserts that the portions do not pertain to a position-keeping system that provides the location of the browser device, or responsive information that is based on the geographic

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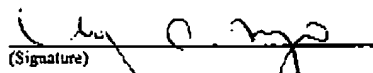
location of the browser device. Col. 9 of the Hitchings patent is shown below. Applicant cannot find any portion of Col. 9 that pertains to "a position-keeping system for providing the geographic location of the browser device to the network server via the wireless communication network, wherein the responsive information is based on the geographic location of the browser device." The description in Col. 9 only teaches utility programs, data fields with information supplied by the user such as name and billing address, credit card information age, profession, sex, marital status, identification of subject matter of interest to the subscriber, and amount of advertising acceptable to the user.

In Col. 14 line 21 to Col. 15 line 58, Hitchings teaches various commands such as SKIP, BACK, MARK, and MENU that can be used to control playback of the program segments. Accordingly, the cited portions of Hitchings do not teach providing the geographic location of the browser device to the network server, nor is the responsive information in Hitchings based on the geographic location of the browser device. Claim 23 is therefore believed to be allowable over the Hitchings reference for at least these reasons.

CONCLUSION

Applicant believes Claims 1, 2, 4, 5, 8-18, 21, 23-30, 32-41, 43, 44, 86-89, and 94-98 are in form for allowance and a notice to that effect is solicited. The Examiner is invited to telephone the undersigned at (949) 251-0250 if there are any issues raised by this response that may be resolved by telephone.

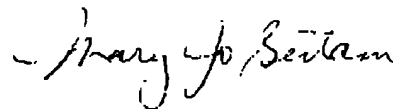
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-8300 on the date shown below:


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Respectfully submitted,



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